

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:19-cv-00244

James Stamps,
Plaintiff,

v.

Maxey Cerliano et al.,
Defendants.

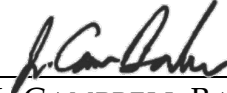
ORDER

Plaintiff filed this civil action on June 3, 2019. Doc. 1. The case was referred to United States Magistrate Judge K. Nicole Mitchell. Doc. 3. On January 16, 2020, the magistrate judge ordered plaintiff to either provide a current address for Doug Williams, the sole remaining defendant, or else show cause why plaintiff's claims against Williams should not be dismissed for failure to serve process. Doc. 29. A copy of this order was mailed to the address that Stamps had provided to the court, but the mailing was returned as undeliverable. *See* Doc. 30. On April 13, 2020, the magistrate judge issued a report and recommendation that this case be dismissed without prejudice for failure to prosecute and failure to obey a court order. Doc. 31. A copy of the report and recommendation was mailed to plaintiff's last known address, but this too was returned as undeliverable. *See* Doc. 32. To date, plaintiff has filed no objections to the magistrate judge's report and recommendation. Accordingly, the court reviews the report and recommendation for clear error. *See Douglass v. United States Auto Ass'n*, 79 F.3d 1420 (5th Cir. 1996). There is no clear error.

Therefore, the magistrate judge's report and recommendation (Doc. 31) is **adopted**. This case is **dismissed without prejudice** for failure to prosecute and failure to obey a court order. Each party shall bear its own costs and attorney's fees.

Any outstanding motions are **denied as moot**. The clerk of court is **directed** to close this case.

So ordered by the court on August 11, 2020.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge